

**REMARKS**

The Examiner objected to the Specification for not including the suggested Section Headings. The suggested Section Headings now have been added to obviate this objection.

The Examiner rejected Claims 7, 9, 10 and 12 under 35 U.S.C. § 102 as anticipated by or alternatively under 35 U.S.C. § 103 as obvious over Reznikov, US Patent No. 5,553,457. The Examiner stated:

“Reznikov discloses a cooling device as shown in Fig.3. The device comprises a first cooling chamber 12, second cooling chamber 11, third cooling chamber 10, a compressor 1 and control valves 13-16. The evaporators 8 (third chamber) and 9 (first chamber) are connected when only valve 15 is open. The evaporators 7,8 and 9 are connected when all the valves are closed. The refrigerant circuit includes only the first evaporator 9 when only valve 16 is open.”

The Examiner’s statement would be correct, but the teaching of Reznikov is shown in Col. 9, lines 10-17, where the combinations of Reznikov are disclosed as 3 separate positions, which result in only evaporator 7 in the first mode I, only evaporator 8 in the second mode II and only evaporator 9 in the third mode III. Therefore, Reznikov does not disclose the structure of either Claims 7 or 12 which respectively require:

- 7           the evaporators of the first and third refrigerating areas to be sequentially connected in a first branch AND  
                 the evaporators of the first, second and third refrigerating areas to be sequentially connected in a second branch
- 12           series connection of the three connected evaporators spans between two of the connections

Reznikov does not disclose a series connection between any one of the evaporators 7, 8 and 9 and therefore independent Claims 7 and 12 and dependent Claims 9 and 10, which add further structure not disclosed or suggested by Reznikov should be allowable over Reznikov.

The Examiner further rejected Claims 7, 9, 10 and 12 under 35 U.S.C. § 102 as anticipated by or alternatively under 35 U.S.C. § 103 as obvious over Okumura, Japanese Publication No. 2001167341. The Examiner stated:

“Okumura et al. disclose a cooling device as shown in Fig.5. The device comprises a first cooling compartment 1C, second cooling compartment 1A, third cooling compartment 1B, a compressor 3 and control valves 31,32,33,34,37 and 38. The evaporators 2B (third compartment 1B) and 2C (first chamber 1C) are connected when valves 37,31,32 and 34 are open. The evaporators 2A, 2B and 2C are connected when valves 38,32 and 34 are open. The refrigerant circuit includes only the first evaporator 2C when valves 37,31,33 and 34 are open.”

If the Examiner has a translation of more than the Abstract, Applicant would appreciate receiving a copy. Reading only from the English language Abstract, the expansion valve is stated as adjusting the amount of refrigerant supplied to the vaporizers 2A to 2C arranged in series. Nothing is stated about 1C being the first cooling compartment. In contrast to the Examiner’s statement, the temperature sensor 25 leading to 2A is stated as being the entrance-side sensor and the temperature sensor 26 leading to 2C is stated as being the exit-side sensor. As such it is not seen how the Examiner’s position can be sustained and independent Claims 7 and 12 and dependent Claims 9 and 10, which add further structure not disclosed or suggested by Okumura should be allowable thereover.

The Examiner indicated that Claims 8 and 11 would be allowable if rewritten in independent form and new Claims 13 (a combination of Claims 7 and 8) and 14 (a combination of Claims 7, 10 and 11) now have been added. The Examiner is thanked for the indication of allowability of these claims.

This submission is being made during the pendency of this application, in accordance with 37 CFR §1.55(a)(1)(ii).

Claims 7, 9, 10 and 12-14 now remain in the application and should be allowable.

ATTORNEY DOCKET NO.: 2001P14029WOUS

If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned.

John T. Winburn

Name of Attorney Signing

Respectfully submitted



John T. Winburn  
Registration No. 26,822  
February 22, 2006

BSH Home Appliances Corp.  
100 Bosch Blvd.  
New Bern, NC 28562  
Phone: 252-636-4397  
Fax: 714-845-2807  
john.winburn@bshg.com